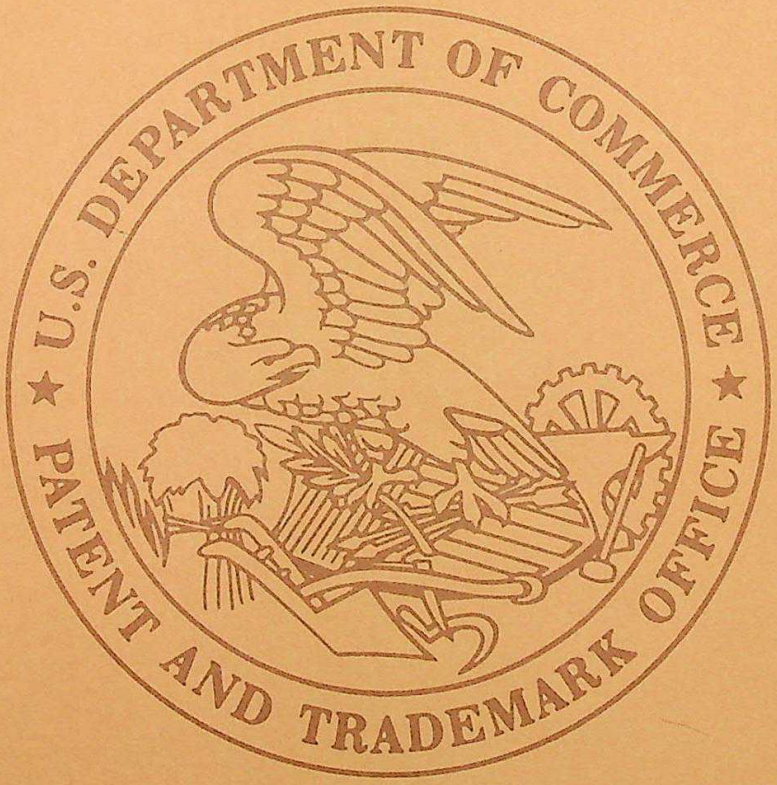
COMMISSIONER OF PATENTS AND TRADEMARKS

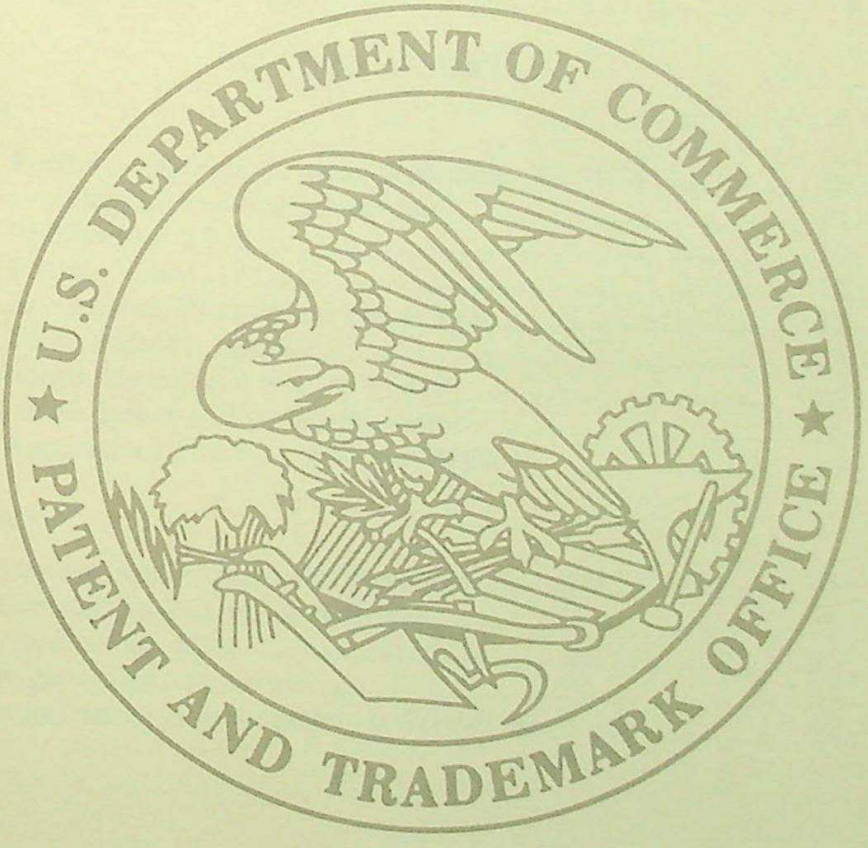
ANNUAL REPORT

FISCAL YEAR 1978



COMMISSIONER OF PATENTS AND TRADEMARKS ANNUAL REPORT FISCAL YEAR 1978

U.S. DEPARTMENT OF COMMERCE/PATENT AND TRADEMARK OFFICE



U.S. DEPARTMENT OF COMMERCE
Juanita M. Kreps, Secretary
Patent and Trademark Office
Donald W. Banner Commissioner of
Patents and Trademarks

April 1979

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COMMISSIONER'S ANNUAL REPORT *

FISCAL YEAR 1978

Mission

The Patent and Trademark Office administers both the patent laws enacted by Congress in accordance with Article I, Section 8, of the Constitution and the Federal trademark laws. The first patent law was enacted in 1790 and the first Federal trademark act was passed in the late 19th century. The Patent and Trademark Office has been a bureau of the U.S. Department of Commerce since 1925.

The patent system is designed to encourage technological progress. It provides incentives for making inventions, investing in research and development, commercializing inventions, and disclosing new inventions to the public instead of keeping them secret. The Office examines patent applications and issues patents; publishes scientific and technical information contained in patents; maintains public search files of patents and literature; sells copies of patents and other documents to the public; and performs various other functions to stimulate new technology. The Office also examines applications and issues patents for designs and certain kinds of plants.

The trademark statute is intended to protect business investments and help avoid confusion or deception of consumers, by providing for registration of marks used in commerce subject to Federal regulation (usually interstate or foreign commerce). A trademark is a word, name, symbol, or device adopted and used by manufacturers or merchants to identify their goods and distinguish them from those manufactured or sold by others. The Office registers trademarks and also service marks, certifica-

* This report summarizes the activities of the Patent and Trademark Office during its fiscal year 1978—from October 1, 1977 through September 30, 1978. All references to a specific year are to fiscal year unless otherwise noted.

tion marks and other special kinds of marks that qualify under the Federal trademark system. The Office examines trademark applications and registers trademarks; maintains public search files of trademarks; and sells copies of registered trademarks to the public.

Highlights of the Report

- The Patent Cooperation Treaty came into force.
- The average patent application pendency time rose 1 month, to 19.9 months.
- The patent depository library system was expanded by adding libraries in Dallas; Denver; Lincoln, Nebraska; and Raleigh, North Carolina.
- Plans were completed for the Office's new computer system and terminal network.
- The Office published an extensive assessment of technology relating to the geophysical exploration for oil, gas and coal.
- Filings of applications for trademark registration were up 12.5 percent from 1977, and up almost 50 percent over the 1975 level.
- The average time between filing of a trademark application and initial examination rose from 3 months to 6 months.
- The United States signed the new text of the treaty administered by the International Union for the Protection of New Varieties of Plants.
- The number of appeals to the Board of Appeals increased 20 percent.
- Four inventors were inducted into the National Inventors Hall of Fame.

Patent Examining

The Patent Cooperation Treaty (PCT) came into force on January 24, 1978. The PCT permits inventors or business firms to file a single English language application in a standard format in the United States and have that application mature into separate national applications in as many member countries of the PCT as they wish. Under this treaty, the Patent and Trademark Office, in addition to its traditional role of examining patent applications and issuing U.S. patents, became a Receiving Office for international patent applications and an International Searching Authority. The Office took responsibility for conducting searches and preparing international search reports on international applications received by the U.S. and Brazilian Receiving Offices. International searches

help applicants decide in which of the member countries of the PCT they desire to have their application examined. Between June 1978, when the first applications were received, and the end of the year the Office received 93 international applications and issued 22 search reports.

Extensive rule changes were adopted in 1978 to govern examining procedures under the Patent Cooperation Treaty. Some of the main changes concerned multiple dependent claims, restriction procedures, and formats of drawings and specifications. Over 1,000 professional employees were given a 20 hour training course to familiarize them with their new responsibilities under the Treaty.

The quality review program, under which a sample of patent applications ready for issue is reviewed, was continued for the fifth consecutive year. Approximately 4 percent of all allowed applications were reviewed. Of the applications reviewed, about 4 percent were found to contain claims which the reviewers considered unpatentable. The Manual of Patent Examining Procedure was changed to make clear that examiners, when deciding whether inventions are obvious, should fully consider allegations relating to such matters as commercial success, unsolved needs, and failures of others.

During 1978 patent examiners disposed of 103,410 patent applications as allowances or abandonments, excluding designs. The Office received 101,304 new applications, excluding designs, during this period. The pendency time of an average patent application in the Office was 19.9 months, up from 18.9 at the end of the previous fiscal year. Figure 1 on page 9 shows patent application pendency time in the Office for recent years.

The Office gained its first full year of experience with new patent examining rules designed to improve reliability of issued patents by affording owners an opportunity to have their patents reexamined in certain circumstances. Filings of reissue applications increased 17 percent over the last fiscal year. There also was a significant increase in the number of cases in which the Office investigated "fraud" in connection with patent applications.

Priority handling of patent applications for inventions related to environmental quality was continued for the eighth year; similar handling for energy-related applications was continued for the fourth year. During the year, 127 energy-related and 46 environment-related patent applications were expedited.

Documentation, Dissemination and Information Handling

Approximately 150,000 original U.S. patents were reclassified by

subject matter in 1978. The program to upgrade search file integrity completed its first full year with a review of 650,000 patents in the examiner and public search files. Under this program, the search files are checked against the computerized master list of what they should contain, any missing patents are replaced, and additional references are placed in the public search files to make them more nearly identical to the files used by examiners.

The capability of the mini-computer system which displays patent classification information at terminals in the public search room and other Office locations was expanded. The system is now used to assist in preparing and updating the Manual of Classification. The most up-to-date version of the manual is available on the terminals in the Public Search Room with several user options which were not possible with the traditional paper copy.

An experimental on-line computerized system was developed for searching the full text of three files. These files were (1) the class and subclass titles from the Manual of Classification, (2) the Index to Classification, and (3) patent titles expanded for greater information content. The system was designed to aid persons not trained in the use of the U.S. Patent Classification System, and those not familiar with a particular technological area. The existing experimental computer-controlled microform search system also was expanded during 1978.

In 1978 four new public libraries were designated as patent depository libraries—the Dallas Public Library, Love Library at the University of Nebraska in Lincoln, the Denver Public Library and the D.H. Hill Library at North Carolina State University in Raleigh. This brought the total number of depository libraries in the country to 29.

The inventor and assignee index card file in the Public Search Room was replaced by a microform-based system. The new system offers more current information to the public on who owns any patent, and less space and cost is required to maintain the file. With this system the user can find any entry in only a few seconds, considerably less time than in the former manual system. In addition, a paper printout of index information can be produced quickly and at low cost.

A computerized inventory control system for the microfilm copies of approximately 4 million foreign patent documents from 16 countries was made fully operational during the year. Various indexes were generated to facilitate retrieval of documents from the film in the Office's Scientific Library. New microfilms received by the Office added to the files approximately one-half million documents from 10 countries, continuing the expansion of the Office's microfilm collection of foreign patent literature. This film replaced paper copies which occupied critical storage space.

The Office released the eighth in a series of reports assessing technological activity by using patent data. The eighth report continued the analysis from the seventh report concerning domestic and international patenting patterns in general, and contained an extensive technical discussion of various techniques used in the geophysical exploration for hydrocarbons, including oil, gas and coal. The Office also prepared 105 special technology assessment reports for public and private organizations.

During 1978 the Office began, in cooperation with the University of Missouri at Rolla, an experimental technology transfer program aimed at helping small businesses by combining the resources of the university's small business extension service with the PTO's office of technology assessment. Energy was the focus of Office technology assessment support provided to the Office of Energy-Related Inventions at the National Bureau of Standards. In addition, a program was initiated to provide the Department of Energy with coverage of all energy-related patents being issued by the United States. Support was also provided to the Department of Commerce Cooperative Technology and Commerce/Cities Programs.

The Patent and Trademark Office completed the installation of three custom-built reproduction machines to service the 20,000 orders received daily for patent copies. These machines produce paper copies of patents at high speed from microfilm cards and automatically stack and collate the copies. This new equipment has improved the quality and timeliness of patent copy services to the public.

The Office acquired a new computer system. This expandable, larger and faster system provided three times the on-line storage capacity at significantly less cost than the Office's existing computer system. Installation was scheduled for early fiscal 1979.

One of the most extensive on-line terminal networks in the federal government outside the Department of Defense will be connected to the new computer. This network will connect a large number of remote terminals to the computer to improve data collection, monitoring and operational control. By utilizing the latest technology, the Office will be able to keep better records of the status and location of pending applications, produce notices of allowances and other papers by machine, and better perform a variety of other functions such as monitoring examiner production and dockets. When fully operational, this computer-terminal network system will substantially improve and expedite the processing of patent and trademark applications.

Trademarks

Trademark examiners disposed of 39,910 applications during the year. Filings of applications for trademark registration totaled 50,106—an increase of 12.5 percent over the previous year and an increase of almost 50 percent over the 1975 level. By the end of the year, the time between filing of an application and the first correspondence from a trademark examiner had risen from three to six months. The Trademark Trial and Appeal Board, which celebrated its twentieth anniversary in September 1978, disposed of 1,927 cases. At the end of the fiscal year there were 2,549 cases pending before the Board, up 53 over the last year.

A hearing was conducted concerning a proposal to amend the rules to permit foreign applicants to register marks without actual use when the U.S. application was based on a registration or application in the applicant's home country. The proposal was withdrawn in light of objections raised by members of the public that some U.S. nationals would be placed in an unfavorable position compared with foreign nationals.

New word processing equipment was installed which utilizes a greatly expanded variety of form paragraphs to expedite the processing of letters from trademark examiners to applicants. Microfilming of expired and cancelled registrations was begun. Plans were finalized for utilizing computer technology to assist in the printing of copies of registered marks and the trademark section of the weekly *Official Gazette*. This system is expected to result in substantial savings in printing costs.

Legislative and International Affairs

The Office submitted two legislative proposals which were introduced in Congress. One bill would give the Office authorization to use fees paid to defray directly the costs incurred in providing requested goods and services, instead of depositing the fees in the general fund of the U.S. Treasury. The other proposal would clarify eligibility requirements for appointment to the Trademark Trial and Appeal Board.

The United States signed the text of the Convention administered by the International Union for Protection of New Varieties of Plants. This Convention accords plant breeders the same general right of protection in foreign countries as the Paris Convention does for industrial inventions. No significant changes in our present laws governing plants will be needed for adherence.

The Office continued to participate actively in international efforts toward implementation of the Trademark Registration Treaty and modernization of the International Trademark Classification System under the Nice Agreement. Draft legislation designed to implement the Trade-

mark Registration Treaty in the U.S. has been published in the trademark section of the Official Gazette.

During 1978 the U.S. and eighteen other countries signed the Budapest Convention concerned with the deposit of microorganisms disclosed in patent applications. Legislation for implementing this Treaty is expected to be introduced in the 96th Congress.

At a Diplomatic Conference scheduled to be held in early 1980, the Office will continue to participate in discussions directed at revising the Paris Convention for the Protection of Industrial Property. The main issues under consideration include: (1) the problem of alleged conflicts between an appellation of origin and a trademark; (2) preferential treatment for but without reciprocity from developing countries; (3) further accommodation of inventors' certificates in the Paris Convention; and (4) exclusive nonvoluntary licensing of patents.

Model state legislation proposed by the Patent and Trademark Office for regulating invention promoters was accepted by the Council of State Governments. The model legislation will be distributed to the state legislatures for consideration in their 1979 legislative sessions.

Legal Affairs

The United States Supreme Court granted the Government's petitions for certiorari in two patent cases. One case, *Parker* v. *Flook,* involved the patentability under the present patent law of computer programs containing mathematical formulae. In this case the Court upheld the Patent and Trademark Office position of unpatentability. The other case was *Parker* v. *Bergy,* which involved the patentability of living microorganisms. The Supreme Court remanded *Bergy* to the lower court for further consideration in light of the Supreme Court's decision in *Flook.* In another microorganisms case, *In re Chakrabarty,* the U.S. Court of Customs and Patent Appeals granted the Office's petition asking it to recall its mandate and vacate its decision based on the Supreme Court's action in *Bergy.*

The United States Court of Appeals for the Ninth Circuit sustained a Patent and Trademark Office decision in the case of *Lee Pharmaceuticals* v. *Kreps* denying access to abandoned patent applications under the Freedom of Information Act. This suit was the second unsuccessful attempt to compel production of abandoned patent applications under the Freedom of Information Act.

Other Activities

During the year the number of appeals filed with the Board of Appeals increased 20 percent; 4,326 appeals were received as compared

to 3,600 during the previous fiscal year. At the end of the year the number of appeals pending was 4,439, up from 3,900 at the end of the previous year. The pendency time for an average appeal at the Board of Appeals was slightly over one year starting from the time the Board obtained jurisdiction over the appeal. A typical appealed application spends about 6 months in the examining group, before the Board obtains jurisdiction, during which time the brief and examiner's answer are filed. The Board of Patent Interferences had 73 cases awaiting final hearing or decision at the end of the year, compared with 66 for the last fiscal year. The total number of interferences pending at the end of the year was 618.

The sixth annual National Inventors Day was observed and four outstanding inventors were inducted into the National Inventors Hall of Fame. Luis Walter Alvarez was recognized for his invention of basic radar systems; Leo Hendrik Baekeland was honored for his invention of synthetic resins; Carl Djerassi was recognized for his invention of oral contraceptives; and Louis Pasteur was honored for his beer fermentation process.

During 1978 the Office completed a plan for an experimental employee "flexitime" program. The plan permitted most PTO employees to have flexible work starting times. "Core" work hours, during which all employees must be present, were proposed. Expected benefits from the program included increased productivity, greater job satisfaction and improved employee morale, along with decreases in employee absences, tardiness and turnover. Final approval for implementation of this experimental program was being sought at the end of the year.

Operating Costs and Income

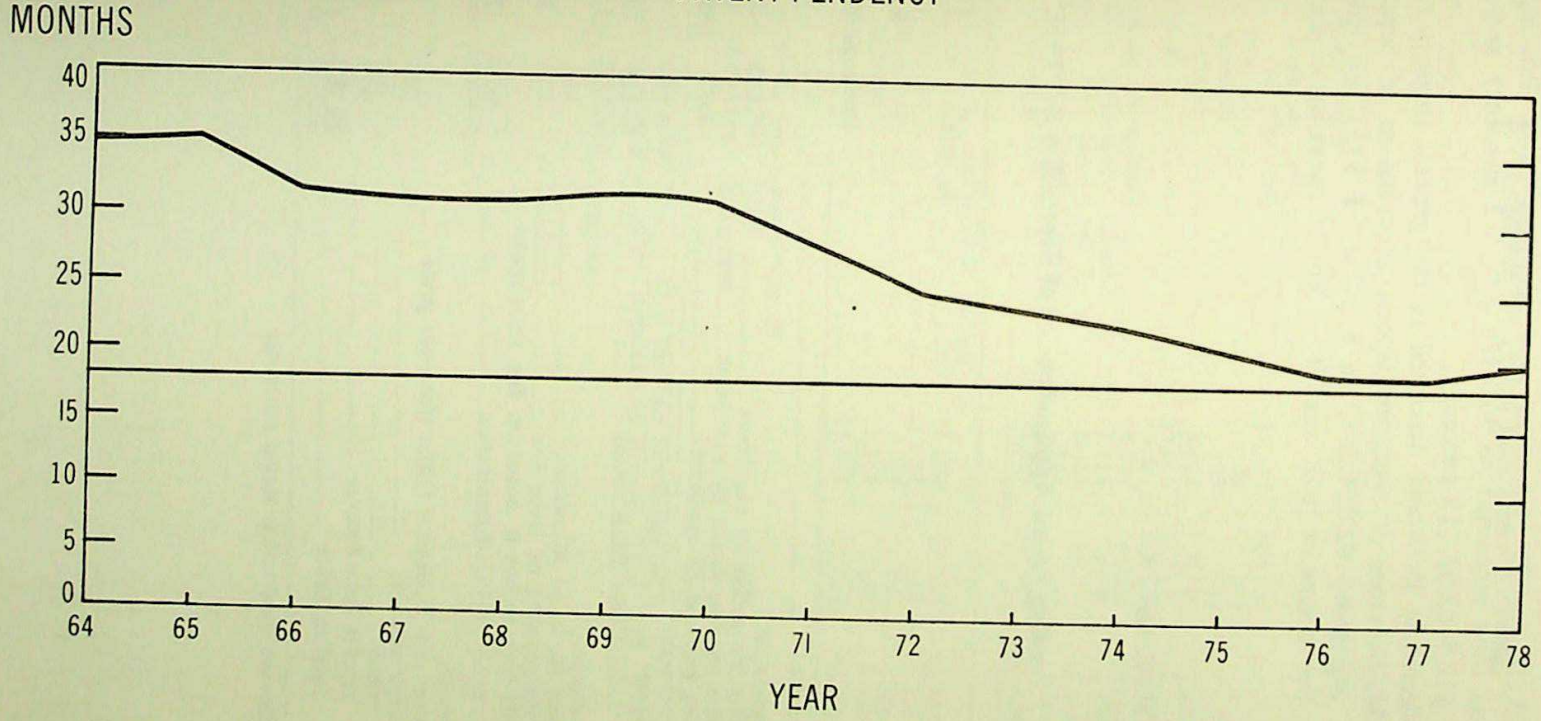
Funds available to the Patent and Trademark Offices for the fiscal year ending September 30, 1978 were $94,397,754, consisting of $94,321,000 regular appropriations and $76,754 received as reimbursements. The 1978 appropriations were $1,458,000 lower than 1977 appropriations adjusted for salary increases and other uncontrollable cost increases.

The total amount obligated during 1978 was $94,291,000, or 99.88 percent of new obligational authority. Total operating costs for the year on the accrual basis of accounting were $92,711,000. Under the accrual basis of accounting, equipment purchased is treated as an asset and only an allocated portion (depreciation) based on its useful life, is included as a cost for the year.

Compensation and benefits for an average 2,769 employees accounted

FIGURE 1

PATENT PENDENCY *



* Average pendency of patent applications, in months, between filing and issue or abandonment for fiscal years 1964 - 78. Pendency times prior to 1976 are approximations.

for $69,175,000, or 75 percent of total operating costs. Printing and reproduction costs amounted to $10,988,000 (12 percent) and other costs were $12,548,000 (13 percent).

Fees collected in 1978 and deposited in the general treasury totaled $27,722,254. Balances in customer deposit accounts as of September 30, 1978, aggregated $2,354,264, an increase of $151,264 over the prior year. Fee income in 1978 was 30 percent of operating costs.

STATISTICAL DATA *
PATENTS

1. Pending Patent Applications as of September 30, 1978

	Designs	Patents including Plants, Reissues and Designs
Pre-Examination	871	22,444
Under Examination:		
Awaiting first action by examiners	7,830	46,413
Amended awaiting action by examiners	355	10,618
Awaiting response by applicant	2,028	56,863
In Interference	1	989
On Appeal	105	6,729
Total Under Examination	10,319	121,612
Post-Examination:		
Awaiting Notice of Allowance	436	6,273
Awaiting payment of Issue Fee	214	13,161
D—10's (secret cases in condition for allowances)	0	2,778
Total in Post-Examination	650	22,212
In Issue Process:		
In Patent and Trademark Office (fee paid prior to September 30)	225	3,129
With printer	700	11,368
Total in Issue Process	925	14,497
Total in Office	12,765	180,765

* All years are fiscal unless stated otherwise.

2. Summary of Patent Examining Activities

Item	T. Q.[1]	1977	1978	Annual Average 1969-78
Patent Applications				
Applications filed:				
General, mechanical, chemical, electrical	25,215	101,821	100,473	101,262
Plants	50	202	171	144
Reissues	100	564	660	418
Designs	1,659	7,186	7,440	6,127
Total	27,024	109,773	108,744	107,951
Applications allowed	16,949	67,800	68,022	72,712
Design applications allowed	1,116	3,950	4,059	3,908
Applications abandoned	8,080	34,463	35,388	35,449
Design applications abandoned	544	1,732	1,761	1,665
Total disposals	26,689	107,945	109,230	113,734
Patents issued: [3]				
General, mechanical, chemical, electrical	16,250	67,947	65,963	70,797
Plants	22	164	194	147
Reissues	97	434	366	327
Designs	1,314	4,260	3,797	3,686
Total	17,683	72,805	70,320	74,957
Patents withheld for nonpayment of final fee (35 U.S.C. 151)	439	1,812	1,813	2,281
Pendency of average application (months) [2]	19.1	18.9	19.9	—

[1] Transition Quarter, July 1, 1976 through September 30, 1976.
[2] Average pendency of patent applications between filing and issue or abandonment.
[3] Excludes withdrawn numbers.

3. Patent Applications Filed

Year	Inventions	Plants	Reissues	Designs	Total
1958	76,565	129	262	4,838	81,794
1959	77,978	126	259	4,994	83,357
1960	78,995	117	219	4,567	83,898
1961	80,842	106	223	4,605	85,776
1962	84,864	131	270	4,963	90,228
1963	84,620	149	277	4,841	89,887
1964	87,482	147	207	5,067	92,903
1965	88,908	89	237	5,319	94,553
1966	93,022	103	266	5,187	98,578
1967	88,167	100	241	4,774	93,282
1968	90,252	107	304	4,889	95,552
1969	96,342	103	376	5,432	102,253
1970	100,116	113	344	5,722	106,295
1971	103,733	161	266	6,057	110,217
1972	102,663	166	293	6,358	109,480
1973	100,900	109	382	5,541	106,932
1974	103,479	109	391	4,948	108,927
1975	101,283	163	465	5,751	107,662
1976	101,807	144	438	6,838	109,227
T.Q.	25,215	50	100	1,659	27,024
1977	101,821	202	564	7,186	109,773
1978	100,473	171	660	7,440	108,744

4. Patents Issued [1]

Year	Inventions	Plants	Reissues	Designs	Total
1958	43,407	110	159	2,572	46,248
1959	52,184	128	170	2,508	54,990
1960	50,322	107	178	2,685	53,292
1961	47,222	110	160	2,488	49,980
1962	51,065	88	190	2,336	53,679
1963	53,958	114	215	2,411	56,698
1964	44,050	147	203	3,019	47,419
1965	52,914	127	204	2,979	56,224
1966	66,243	105	238	3,638	70,224
1967	70,028	102	180	2,840	73,150
1968	61,599	67	185	3,539	65,390
1969	61,957	80	201	2,991	65,229
1970	66,339	80	311	3,401	70,131
1971	[2] 70,387	77	222	3,097	[2] 73,783
1972	83,221	170	264	3,032	86,687
1973	[3] 67,552	146	274	3,441	[3] 71,413
1974	79,300	211	367	4,439	84,317
1975	[4] 70,179	155	398	3,632	[4] 74,364
1976	[4] 75,325	195	434	4,781	[4] 80,735
T.Q.	16,259	22	98	1,315	17,694
1977	67,972	164	435	4,261	72,832
1978	65,963	194	366	3,797	70,320

[1] Excludes withdrawn numbers beginning with FY 1978.
[2] Does not include 1,300 voided numbers.
[3] Does not include 1,356 voided numbers.
[4] Under the Trial Voluntary Protest Program, in 1975 an additional 667 applications were published but not issued; in 1978 there were 1,303 published but not issued.

5. Patent Applications Pending [1]

Year	Total Pending [2]	Awaiting Action by Examiner [3]	Year	Total Pending [2]	Awaiting Action by Examiner [3]
1959	205,252	89,077	1969	[4] 196,338	103,704
1960	201,822	88,633	1970	192,575	81,548
1961	206,340	92,489	1971	190,103	64,890
1962	203,497	102,833	1972	189,177	70,477
1963	215,577	119,946	1973	175,281	64,940
1964	226,006	129,151	1974	162,447	47,411
1965	212,416	149,284	1975	146,464	41,916
1966	214,664	147,664	1976	142,379	43,776
1967	205,768	136,672	T.Q.	142,714	50,323
1968	194,087	109,509	1977	144,542	60,706
			1978	144,056	57,031

[1] Pending at end of period indicated. Does not include allowed applications.
[2] Includes applications in pre-examining processes.
[3] Includes cases in which Office actions were suspended under Rule 103 through 1965.
[4] Revised figure based on inventory adjustment of 4,968 to total pending, excluding allowed applications, plus category not previously counted of 2,654.

6. Documentation Activity

Activity	1975	1976	T.Q.	1977	1978
Subclasses established	1,969	3,248	1,061	3,568	4,924
Patents reclassified *					
Original patents	89,779	125,265	45,675	149,762	149,602
Cross-reference patents	234,252	279,986	80,806	354,298	370,050
Foreign patents	70,000	200,000	73,000	240,000	239,000

* Includes only those for which final processing was completed.

7. Patents Issued to Residents of United States*

States and Territories	1970	1971	1972	1973	1974	1975	1976	T.Q.	1977	1978
Alabama	265	330	232	296	322	221	265	75	208	205
Alaska	24	27	26	25	29	30	34	9	26	29
American Samoa	2	4	5	7	11	13	13	2	5	4
Arizona	327	388	405	491	538	436	511	109	481	464
Arkansas	101	99	88	77	102	91	102	22	102	108
California	6,444	7,750	6,952	7,603	7,864	6,510	7,101	1,582	6,923	6,211
Canal Zone	12	14	18	6	5	8	5	0	2	4
Colorado	413	546	518	640	668	595	649	143	617	561
Connecticut	1,663	1,918	1,685	1,763	1,873	1,612	1,752	431	1,552	1,385
Delaware	538	515	697	542	588	461	513	95	413	384
District of Columbia	213	248	105	81	74	88	83	20	70	62
Florida	841	1,061	992	1,052	1,166	1,059	1,085	265	1,096	1,051
Georgia	273	386	308	392	404	353	383	80	337	346
Guam	9	4	5	11	12	3	4	1	1	3
Hawaii	50	37	26	50	55	61	51	12	43	41
Idaho	72	90	87	123	111	99	94	22	80	73
Illinois	3,974	4,645	4,221	4,419	4,653	3,959	4,173	904	3,751	3,390
Indiana	1,158	1,432	1,252	1,297	1,374	1,172	1,177	269	1,069	998
Iowa	377	475	445	450	494	386	446	91	451	366
Kansas	307	306	312	358	404	362	351	67	302	307
Kentucky	318	423	327	323	336	343	323	67	281	288
Louisiana	318	389	406	348	518	357	404	89	352	319
Maine	73	94	82	63	76	76	61	16	52	71
Maryland	937	1,244	1,082	1,066	1,124	913	1,072	219	861	829
Massachusetts	2,153	2,716	2,445	2,320	2,421	2,062	2,192	474	1,860	1,758
Michigan	2,831	3,386	3,156	3,091	3,215	2,832	2,691	621	2,474	2,373
Minnesota	1,063	1,157	1,015	1,070	1,230	1,029	1,082	220	968	905
Mississippi	60	86	70	85	88	103	100	20	74	76
Missouri	689	866	803	802	851	712	728	169	651	687
Montana	44	48	55	62	36	60	48	8	45	65
Nebraska	108	151	118	143	153	147	140	23	130	119
Nevada	56	81	59	68	78	92	85	19	111	105

7. Patents Issued to Residents of United States*—(Continued)

States and Territories	1970	1971	1972	1973	1974	1975	1976	T.Q.	1977	1978
New Hampshire	186	219	158	176	195	165	171	37	176	170
New Jersey	4,280	4,652	4,719	4,298	4,320	3,723	4,188	895	3,687	3,594
New Mexico	77	112	116	127	144	81	145	28	116	104
New York	5,693	6,453	5,978	5,874	6,120	5,015	5,109	1,119	4,737	4,259
North Carolina	524	617	608	579	586	535	576	138	540	529
North Dakota	38	49	37	47	53	46	45	4	44	58
Ohio	3,286	3,978	3,467	3,548	3,815	3,215	3,223	694	2,898	2,761
Oklahoma	740	863	839	743	811	747	725	171	618	655
Oregon	297	425	363	436	433	348	357	69	328	349
Pennsylvania	3,641	4,052	3,889	3,807	3,982	3,578	3,583	780	3,223	3,029
Rhode Island	236	263	240	238	247	215	217	48	209	164
South Carolina	189	270	272	261	278	259	274	49	233	281
South Dakota	52	61	40	37	39	45	48	16	43	40
Tennessee	371	401	354	403	412	399	416	82	374	372
Texas	1,878	2,007	2,083	2,174	2,342	2,153	2,235	501	2,063	2,037
Utah	167	222	233	260	267	230	242	42	225	191
Vermont	65	131	77	103	115	76	70	13	75	79
Virginia	628	764	743	756	803	644	696	164	637	600
Washington	428	575	493	538	597	530	595	126	561	540
West Virginia	172	154	148	142	166	126	162	25	162	172
Wisconsin	1,056	1,330	1,143	1,228	1,239	1,041	948	208	882	846
Wyoming	31	47	29	28	39	34	43	14	38	31
Puerto Rico	39	47	34	29	25	25	14	1	25	25
U.S. Army	0	7	1	2	1	0	0	0	0	0
U.S. Navy	1	1	2	0	0	0	0	0	0	1
U.S. Air Force	6	6	5	1	4	0	1	0	1	0
Virgin Islands	15	21	25	7	6	19	7	0	9	4
TOTAL	49,821	58,693	54,093	54,960	57,812	49,494	51,808	11,368	47,292	44,482

* Years 70-73 are calendar years and do not include reissues; 1974-78 are fiscal years and include designs, plants and reissues.

8. Patents Issued by the United States to Residents of Foreign Countries*

Country	1970	1971	1972	1973	1974	1975	1976	T.Q.	1977	1978
Algeria	1	0	1	0	0	0	1	0	0	1
Argentina	24	26	30	30	26	32	22	9	24	46
Australia	152	206	191	214	252	253	299	48	272	297
Austria	194	251	273	237	263	275	339	68	297	287
Bahamas	1	12	4	10	16	17	9	3	5	8
Belgium	234	309	321	287	345	302	337	74	306	280
Bermuda	2	4	6	4	1	3	2	0	4	1
Bolivia	8	7	6	5	4	9	6	2	0	3
Brazil	19	15	16	19	19	22	20	5	25	30
Bulgaria	9	11	10	16	17	15	27	3	36	32
Burma	0	0	0	0	0	0	0	0	0	1
Cameroon	0	0	1	0	0	0	0	0	0	0
Canada	1,151	1,413	1,323	1,449	1,511	1,324	1,411	330	1,388	1,338
Chile	2	8	4	5	6	5	7	0	2	4
China, Peoples Rep. of	0	0	0	0	0	0	0	0	2	0
Colombia	6	7	8	7	10	6	4	2	6	12
Congo	3	0	0	0	3	4	12	10	11	1
Costa Rica	0	2	0	0	1	2	8	0	0	1
Cuba	1	2	1	0	1	1	1	0	1	3
Cyprus	1	0	0	0	0	2	1	0	2	1
Czechslovakia	122	154	110	95	105	121	110	29	109	93
Dahomey	1	0	0	0	0	1	1	0	0	0
Denmark	143	179	180	164	184	176	210	43	172	183
Dominican Republic	0	0	1	2	3	1	0	0	1	1
Equador	2	3	2	3	6	6	7	0	1	0
Egypt	0	2	3	2	3	1	4	0	1	0
El Salvador	1	1	0	1	1	1	5	0	3	2
Ethiopia	1	0	0	0	0	0	0	0	2	2
Finland	48	64	71	95	121	102	112	36	99	141
France	1,771	2,251	2,269	2,189	2,548	2,399	2,666	589	2,255	2,225
Germany, Dem. Rep. of	0	0	0	0	0	0	0	0	1	3
Germany, Fed. Rep. of	4,496	5,586	5,797	5,661	6,360	5,780	6,800	1,402	5,902	5,883
Greece	8	6	16	14	19	3	17	2	11	11
Guatemala	2	3	0	7	9	3	5	0	3	4
Guinea	0	0	0	0	1	0	0	0	1	1
Haiti	1	3	0	0	1	4	4	1	1	0
Honduras	3	1	1	2	1	0	1	0	1	1

8. Patents Issued by the United States to Residents of Foreign Countries*—(Continued)

Country	1970	1971	1972	1973	1974	1975	1976	T.Q.	1977	1978
Hong Kong	17	34	16	22	23	19	46	6	32	33
Hungary	37	38	48	46	51	64	66	16	69	82
Iceland	7	10	9	2	1	5	6	0	3	13
India	16	10	19	21	20	17	14	7	16	20
Indonesia	1	2	2	8	10	6	5	1	0	4
Iran	4	4	3	5	4	4	5	0	3	5
Ireland	13	33	21	31	25	26	34	7	21	32
Israel	46	54	55	96	94	95	119	23	97	107
Italy	596	751	865	791	900	762	866	198	810	761
Ivory Coast	0	0	0	1	1	0	0	0	1	0
Jamaica	1	0	4	1	1	1	0	0	3	3
Japan	2,720	4,154	5,301	5,157	5,964	5,899	7,383	1,611	6,462	7,099
Jordan	0	0	1	0	0	0	0	0	0	1
Kenya	4	1	0	1	0	0	2	1	1	0
Korea, Rep. of	3	3	7	5	10	8	9	4	5	14
Kuwait	0	0	0	0	0	1	0	0	0	1
Lebanon	2	4	1	1	1	7	4	0	0	3
Liberia	0	0	0	0	0	0	0	0	0	1
Libya	0	0	1	0	0	1	0	0	1	2
Liechtenstein	23	28	10	14	12	10	14	8	10	12
Luxembourg	1	5	8	6	18	13	20	3	14	21
Madagascar	1	0	0	0	0	0	0	0	0	1
Malaysia	1	0	0	0	1	0	3	1	2	5
Mali	0	0	0	0	0	0	0	0	0	2
Mauritania	1	0	0	0	0	1	0	0	0	0
Mexico	44	65	43	42	50	71	78	19	65	42
Monaco	2	5	2	2	2	9	8	1	5	9
Morocco	2	0	3	3	2	1	0	0	4	1
Netherlands	553	715	690	707	778	665	709	204	770	680
New Zealand	16	18	26	25	22	24	37	5	32	46
Nicaragua	1	3	2	2	0	1	3	1	2	3
Nigeria	1	4	0	0	0	1	1	0	1	3
Norway	71	79	94	97	97	106	110	33	113	103
Pakistan	1	0	0	0	1	0	2	0	1	0

8. Patents Issued by the United States to Residents of Foreign Countries*—(Continued)

Country	1970	1971	1972	1973	1974	1975	1976	T.Q.	1977	1978
Panama	1	2	4	0	1	5	4	1	3	0
Paraguay	0	0	1	1	0	0	0	0	1	1
Peru	6	5	5	3	1	5	8	2	6	1
Philippines	4	7	12	14	15	7	8	1	10	8
Poland	33	31	21	25	27	32	35	5	26	29
Portugal	4	7	7	2	4	7	5	1	3	5
Rhodesia	0	5	1	0	1	2	1	0	4	1
Romania	37	35	33	25	34	21	15	4	20	11
Saudi Arabia	3	1	2	1	0	2	0	3	3	0
Singapore	0	4	4	7	9	6	4	1	3	5
South Africa	50	72	55	89	95	74	89	23	81	86
Soviet Union	218	327	355	383	444	454	435	102	399	386
Spain	61	82	65	89	99	87	105	27	114	95
Sri Lanka	0	0	0	1	1	0	0	0	2	0
Sudan	2	1	1	0	1	2	0	0	1	0
Sweden	650	849	783	793	944	939	1,118	266	1,005	918
Switzerland	1,124	1,291	1,326	1,351	1,580	1,354	1,603	345	1,438	1,374
Syria	0	0	1	0	0	0	1	0	0	0
Taiwan	7	16	8	11	17	28	29	6	49	40
Tanzania	0	3	1	0	0	0	0	0	1	0
Thailand	3	1	1	0	0	2	1	0	3	0
Trinidad & Tobago	2	3	3	3	3	3	1	0	3	4
Tunisia	0	0	1	1	0	0	0	0	1	0
Turkey	0	3	3	5	3	0	0	0	2	1
Uganda	0	0	0	0	0	1	1	0	0	0
United Kingdom	3,063	3,533	3,229	2,931	3,242	3,071	3,443	718	2,831	2,850
Uruguay	1	2	0	2	1	1	2	0	0	0
Venezuela	13	13	7	6	7	9	2	2	9	8
Viet Nam, Rep. of	0	1	2	0	1	2	1	0	1	1
Yugoslavia	6	9	6	6	8	10	5	3	7	9
Zambia	2	1	2	1	0	0	1	0	0	0
Total	17,872	22,850	23,810	23,344	26,464	24,821	28,909	6,315	25,513	25,838

* Years 70-73 are calendar years and do not include reissues; 1974-78 are fiscal years and include designs, plants and reissues.

9. United States Patent Applications Filed by Residents of Foreign Countries*

Country	1975	1976	T.Q. *	1977	1978
Algeria	1	0	0	2	4
Argentina	48	35	23	52	72
Australia	440	487	141	524	582
Austria	391	395	123	400	438
Bahamas	0	22	2	14	17
Belgium	478	410	106	391	423
Bermuda	18	2	0	3	1
Bolivia	7	5	1	1	5
Brazil	48	74	5	46	75
Bulgaria	43	63	20	45	47
Burma	1	1	0	2	1
Canada	2,390	2,278	597	2,421	2,359
Chile	8	7	2	6	9
China, People Rep.	0	0	3	8	9
Colombia	9	13	4	22	8
Congo	79	0	0	2	0
Costa Rica	8	0	1	9	6
Cuba	1	5	0	3	3
Cyprus	0	0	0	4	1
Czechoslovakia	172	127	34	103	98
Dahomey	0	0	0	0	0
Denmark	231	279	60	269	281
Dominican Republic	1	2	0	1	1
Ecuador	3	2	1	4	4
Egypt	3	5	0	1	2
El Salvador	3	4	1	4	3
Finland	185	201	44	203	241
France	3,239	3,070	694	3,158	3,343
Germany, Dem. Rep.	0	23	8	43	33
Germany, Fed. Rep. of	8,644	8,312	2,133	8,896	9,520
Greece	30	17	6	16	23
Guatemala	3	4	3	8	2
Haiti	3	0	0	2	4
Honduras	2	2	2	0	0
Hong Kong	64	52	18	76	86
Hungary	129	144	28	128	137
Iceland	4	5	1	6	15
India	44	33	9	32	27
Indonesia	6	9	0	7	5
Iran	4	4	2	12	12
Ireland	39	50	12	53	48
Israel	140	193	38	184	212
Italy	1,192	1,211	319	1,271	1,402
Ivory Coast	0	1	0	0	0
Jamaica	3	4	1	6	3
Japan	8,908	9,319	2,438	10,211	10,355
Kenya	3	1	0	3	2
Korea, Rep. of	21	27	8	30	38
Kuwait	1	0	0	0	2
Lebanon	3	3	0	1	1
Liberia	1	0	0	0	2
Libya	0	0	1	0	1
Liechtenstein	19	24	5	15	13
Luxembourg	14	18	11	26	33
Malagasy	0	0	0	1	1
Malaysia	10	9	2	2	5
Mali	0	0	0	0	1
Mexico	128	136	35	83	111

9. United States Patent Applications Filed by Residents of Foreign Countries*—(Continued)

Country	1975	1976	T.Q. *	1977	1978
Monaco	9	11	3	7	13
Morocco	3	4	0	3	1
Netherlands	1,043	1,066	216	1,070	1,041
New Zealand	77	75	18	124	116
Nicaragua	2	0	2	2	1
Nigeria	3	5	0	2	4
Norway	155	167	30	172	171
Pakistan	3	0	0	0	1
Panama	5	1	2	2	2
Paraguay	0	0	0	1	0
Peru	13	4	3	5	4
Philippines	16	14	12	13	21
Poland	54	59	9	65	63
Portugal	8	13	5	5	3
Rhodesia	6	5	0	2	2
Romania	31	27	4	26	27
Saudi Arabia	5	1	0	1	4
Senegal	0	1	0	0	0
Singapore	6	7	1	9	6
South Africa	201	160	39	183	177
Soviet Union	720	673	159	634	624
Spain	179	186	41	176	153
Sri Lanka	2	2	1	1	0
Sudan	0	2	1	0	1
Sweden	1,455	1,466	303	1,347	1,379
Switzerland	2,174	2,137	533	2,016	2,062
Taiwan	117	121	44	171	233
Tanzania	0	1	0	0	0
Thailand	1	4	0	0	4
Trinidad & Tobago	4	6	3	7	2
Tunisia	1	1	1	1	3
Turkey	4	12	0	3	3
United Kingdom	4,901	4,682	1,111	4,769	4,691
Upper Volta	0	0	0	0	1
Uruguay	3	2	0	3	12
Venezuela	9	34	6	16	19
Viet Nam, Rep. of	0	2	0	1	0
Yugoslavia	10	21	6	15	31
Zambia	0	1	0	1	0
Total	38,442	38,081	9,495	39,663	41,022

* T.Q. data revised.

STATISTICAL DATA *

Trademarks

10. Pending Trademark Applications as of September 30, 1978

Status	For Registration	For Renewal	Under Section 12(c)	Section 8 Affidavits
Pre-Examination	8,822	—	—	—
Under Examination:				
Awaiting action by examiner:				
First action	14,594	54	2	673
Amended actions	9,747	0	0	0
Awaiting action by others (i.e., applicant, on appeal, in adversary proceedings, clerical processing)	24,567	196	1	830
Total Under Examination	48,908	250	3	1,503
Total	57,730	250	3	1,503
Post-Examination (includes applications in all phases of publication and issue)	10,110	544	19	0
Total	67,840	794	22	1,503

* All years are fiscal unless stated otherwise.

11. Summary of Trademark Examining Activities

Item	T.Q.[1]	1977	1978	Annual Average 1969-78
Applications for registration filed	10,161	44,539	50,106	36,763
Disposal of trademark applications:				
Applications maturing to registration	7,336	27,431	31,623	26,719
Applications abandoned	2,937	9,055	8,287	8,127
Certificates of registration issued:				
1946 act. principal register	6,556	24,256	28,236	23,648
1946 act. supplemental register	175	770	685	837
Total	6,731	25,026	28,921	24,485
Renewal of registration:				
Applications filed	1,424	5,854	5,567	5,995
Applications abandoned	10	18	52	69
Registrations renewed	1,731	6,251	5,254	5,930
Affidavits for benefits under Sec. 12(c):				
Affidavits filed	4	30	77	56
Affidavits abandoned	0	3	0	1
Published under Sec. 12(c)	20	21	84	76
Affidavits, Sec. 8:				
Affidavits filed	3,329	13,463	13,351	13,768
Affidavit disposal	2,768	12,796	9,681	12,669
Pendency to first actions (months)[2]	4.4	3.0	6.0	—

[1] Transition Quarter, July 1, 1976 through September 30, 1976.
[2] Average pendency of trademark applications between filing and the examiner's first action.

12. Applications for Trademark Registrations, Renewals, and Section 12(c) Affidavits

Year	For Registration	For Renewal	For Benefits Under Section 12(c)	Affidavits Received Under Sec. 8	Year	For Registration	For Renewal	For Benefits Under Section 12(c)	Affidavits Received Under Sec. 8
1960	23,242	3,972	419	12,573	1970	33,807	6,329	59	14,283
1961	23,169	3,476	423	14,581	1971	32,803	6,189	76	12,263
1962	24,866	3,138	337	14,720	1972	33,741	5,980	46	13,256
1963	24,224	2,604	311	12,752	1973	*36,204	5,614	74	13,605
1964	25,574	2,824	261	12,055	1974	34,193	5,633	55	13,259
1965	26,657	3,049	308	13,923	1975	33,898	5,687	29	14,644
1966	28,438	3,695	518	13,705	1976	37,074	6,833	24	15,665
1967	27,628	3,844	341	11,156	T.Q.	10,161	1,424	4	3,329
1968	28,292	4,089	231	12,116	1977	44,539	5,854	30	13,463
1969	31,268	6,267	90	13,890	1978	50,106	5,567	77	13,351

* Revised.

13. Trademarks Issued, Renewed and Published Under Section 12(c)*

Year	Issued	Re-newed	Published Under Sec. 12(c)	Year	Issued	Re-newed	Published Under Sec. 12(c)
1960	18,989	3,614	479	1970	21,974	6,370	103
1961	17,406	3,749	451	1971	21,686	6,380	112
1962	15,909	3,071	331	1972	21,062	5,836	56
1963	18,266	2,450	322	1973	25,432	5,398	69
1964	20,689	2,834	329	1974	24,838	5,984	54
1965	19,452	2,870	336	1975	27,324	5,474	25
1966	18,671	3,441	497	1976	28,102	6,914	56
1967	20,604	3,820	403	T.Q.	6,731	1,731	20
1968	20,385	3,726	290	1977	25,026	6,251	21
1969	20,306	5,442	182	1978	28,921	5,254	84

* Includes withdrawn numbers.

14. United States Trademark Applications and Registrations, Foreign Residents

Country	Applications			Registrations		
	T.Q.	1977 *	1978	T.Q.	1977	1978
Albania	0	0	1	0	0	0
Argentina	4	16	20	0	7	9
Australia	31	39	110	12	35	48
Austria	8	22	53	4	56	14
Bahamas	1	0	3	0	1	1
Belgium	6	19	43	5	14	27
Bermuda	0	1	5	0	2	1
Brazil	6	11	46	2	11	15
Bulgaria	0	0	1	1	0	0
Canada	127	324	632	45	263	257
Central African Rep.	0	0	0	0	2	0
Chile	0	0	6	0	0	1
China, Peoples Rep. of	0	4	15	0	3	2
Colombia	3	3	7	0	2	1
Costa Rica	1	1	2	0	0	1
Cuba	0	0	1	0	0	0
Czechoslovakia	0	1	6	0	1	2
Denmark	12	29	58	6	31	38
Dominican Rep.	1	0	1	0	0	0
El Salvador	0	4	0	0	0	1
Finland	4	7	40	2	9	11
France	109	219	516	73	349	283
Germany, Dem. Rep. of	0	0	1	0	13	0
Germany, Fed. Rep. of	140	318	676	88	345	336
Greece	8	4	7	0	5	4
Guam	0	0	2	0	0	0
Guatemala	0	1	1	0	0	0
Haiti	0	1	0	0	0	0
Honduras	0	1	0	0	0	0
Hong Kong	15	63	59	2	16	31

14. United States Trademark Applications and Registrations, Foreign Residents—(Continued)

Country	Applications			Registrations		
	T.Q.	1977 *	1978	T.Q.	1977	1978
Hungary	4	0	2	0	0	1
Iceland	0	2	0	0	0	1
India	0	3	4	0	2	4
Indonesia	0	1	1	0	0	0
Iran	0	0	1	0	0	0
Ireland	4	13	9	3	12	9
Israel	14	6	15	0	12	7
Italy	56	146	324	26	134	130
Jamaica	0	0	1	0	0	0
Japan	114	230	414	84	306	247
Kenya	0	2	0	0	0	0
Korea, Rep. of	3	6	11	0	2	1
Kuwait	0	0	1	0	0	0
Lebanon	0	0	3	0	0	0
Liechtenstein	6	8	13	0	2	11
Luxembourg	1	7	3	0	0	1
Madagascar	0	1	0	0	0	0
Malaysia	0	1	1	0	0	0
Mexico	6	44	61	4	32	28
Monaco	0	0	4	0	0	1
Nauru	0	0	1	0	0	0
Netherlands	12	62	99	13	52	44
New Zealand	4	9	35	2	7	7
Norway	3	7	23	3	18	11
Panama	0	5	13	0	3	1
Peru	0	1	3	0	0	0
Philippines	0	5	6	0	0	0
Poland	2	2	0	1	0	3
Portugal	3	2	18	5	4	5
Rhodesia	1	0	0	0	0	0
Romania	0	1	4	1	0	0
San Marino	0	0	1	0	0	0
Saudi Arabia	0	1	1	0	0	0
Singapore	3	9	7	0	0	0
South Africa	8	13	33	0	6	12
Soviet Union	3	4	6	1	0	0
Spain	22	63	96	23	112	79
Swaziland	0	0	1	0	0	0
Sweden	25	53	110	14	63	68
Switzerland	34	101	181	27	131	123
Taiwan	0	3	7	0	0	0
Thailand	3	2	1	0	0	0
Turkey	0	0	1	0	0	0
United Kingdom	149	287	531	61	365	281
Uruguay	0	1	0	1	0	0
Venezuela	0	2	5	0	1	2
Yugoslavia	0	1	1	0	1	3
Zaire	0	0	1	0	0	0
Total	956	2,192	4,365	509	2,430	2,163

* Revised.

STATISTICAL DATA *

General

15. Actions on Petitions to Commissioner

	1978
Patent Cases:	
Acceptance of amendments filed after payment of issue fee	40
Acceptance of late assignments	19
Acceptance of late issue fees	803
Acceptance of late priority papers	42
Access	46
Certificates of Correction	8,733
Change of Inventorship	67
Deferment of issue	129
Filing date	248
Interference	79
Make special	629
New notice of allowance	74
Public use	5
Reissue in Divisions	6
Reopen prosecution under Rule 198	1
Restriction	84
Revivals	2,265
Rule 47	596
Second extensions of time	11,800
Supervisory authority	621
Withdrawals of attorney	1,412
Withdrawals from issue	109
Total	27,808
OTHER RELATED ACTIONS:	
Fraud:	
Receipts	100
Disposals	22
Protests Filed	107
Trademark Cases:	
Revive and Make Special	471
Supervisory Authority (2.146(a)(3))	23
Decisions by Examiners	17
Extensions of Time	8
Requesting Recordation	15
Interferences	9
Acceptance of late filed papers (excl. Sec. 8 papers)	42
Acceptance of late filed fees (excl. Sec. 8 fees)	11
Section 8 or 15	78
Accord Applications a Filing Date	20
Miscellaneous	22
Total	716
Patent Pending Petitions Awaiting Action	465
Pending Trademark Petitions Awaiting Action	35

* All years are fiscal years unless stated otherwise.

16. Summary of Contested Cases in Patent and Trademark Office During 1978

Patent Cases before the Board of Appeals:		
Pending September 30, 1977:		
Appeals (examiner's answer)	3,900	
Reconsideration	61	3,961
Filed October 1, 1977-September 30, 1978		
Appeals (examiner's answer)	4,326	
Reconsideration	405	4,731
Total		8,692
Disposals:		
Examiner affirmed	2,337	
Examiner affirmed-in-part	301	
Examiner reversed	869	
Dismissed	7	
Suspended	3	
Withdrawn	270	4,219 [1]
Pending September 30, 1978		4,473 [2]
Cases before the Board of Patent Interferences		
Pending September 30, 1977		613
Filed October 1, 1977-Sept. 30, 1978 (inter parte cases)		303
Total		916
Disposals		298
Pending September 30, 1978		618
Awaiting setting of final hearing		1
Awaiting final decision		62
Set for final hearing		10

Cases before the Trademark Trial and Appeal Board:

	Ex Parte	Cancel	Concur. Use	Inter Partes Interfer.	Opposi-tions	Total
Pending Sept. 30, 1977	274	448	24	1	1,749	2,496
Filed 10/1/77-9/30/78						
Exparte appeals	173					173
Inter partes cases	—	365	20	0	1,422	1,807
Total	447	813	44	1	3,171	4,476
Disposals	253	291	13	1	1,369	1,927
Pending Sept. 30, 1978	194	522	31	0	1,802	2,549

[1] Reconsiderations included: 432
[2] Reconsiderations included: 34

17. Cases in Litigation (Courts) in 1978

	Administrative Review	Patent	Trademark	Total
Supreme Court of the United States—Petitions for writ of certiorari:				
Pending Oct. 1, 1977	1	2	0	3
Filed Oct. 1, 1977-Sept. 30, 1978	0	7	0	7
Total	1	9	0	10
Denied	1	5	0	6
Granted	0	2	0	2
Dismissed	0	1	0	1
Total	1	8	0	9
Pending Sept. 30, 1978	0	1	0	1
United States Court of Appeals—District of Columbia Circuit:				
Cases pending Oct. 1, 1977	2	4	0	6
Filed Oct. 1, 1977-Sept. 30, 1978	5	5	0	10
Total	7	9	0	16
Cases disposed of:				
Affirmed	2	3	0	5
Dismissed	0	0	0	0
Reversed	0	0	0	0
Total	2	3	0	5
Pending Sept. 30, 1978	5	6	0	11
United States District Court for the District of Columbia:				
Pending Oct. 1, 1977	9	27	1	37
Filed Oct. 1, 1977-Sept. 30, 1978	4	7	1	12
Total	13	34	2	49
Cases disposed of:				
Affirmed	5	6	1	12
Reversed	0	2	0	2
Dismissed on				
Plaintiff's motion	1	0	0	1
Defendant's motion	2	2	0	4
Stipulation of counsel	1	6	0	7
By Court	1	0	0	1
Total	10	16	1	27
Pending Sept. 30, 1978	3	18	1	22

17. Cases in Litigation (Courts) in 1978—(Continued)

Notices of appeals to U.S. Court of Customs and Patent Appeals Received Oct. 1, 1977-Sept. 30, 1978:

Ex parte patents and trademarks	121 = (15 not perfected)
Inter partes patents	20 = (4 not perfected)
Inter partes trademarks	38 = (1 not perfected)

United States Court of Customs and Patent Appeals

	Ex Parte		Inter Partes		
	Patent	Trademark	Patent	Trademark	Total
Cases pending Oct. 1, 1977	71	8	12	17	108
Filed Oct. 1, 1977-Sept. 30, 1978	87	5	14	32	138
Total	158	13	26	49	246
Cases disposed of:					
Affirmed	50	6	10	15	81
Affirmed-in-part	6	0	0	0	6
Reversed	23	2	2	11	38
Remanded	4	0	0	1	5
Writ of mandamus denied	0	0	2	0	2
Dismissed:					
On appellant's motion	8	2	2	4	16
Appellees motion	0	0	0	0	0
Want of prosecution	0	0	0	0	0
Joint motion	0	0	0	1	1
Total	91	10	16	32	149
Pending Sept. 30, 1978	67	3	10	17	97

18. Litigation Report, Other Jurisdictions (Cases Reported)

Month	Patent suits				Trademark suits			
	Filed	Pat's Involved	Decs.	Pat's Involved	Filed	TM's Involved	Decs.	TM's Involved
October, 1977	60	76	16	24	45	209	4	12
November	49	33	16	32	33	97	9	26
December	34	56	10	35	33	58	11	65
January	49	69	18	30	32	126	8	43
February	55	106	15	22	41	179	10	54
March	37	58	21	34	38	105	18	44
April	70	100	20	34	37	87	5	12
May	66	110	25	29	74	235	24	39
June	38	54	24	26	42	92	14	41
July	73	50	13	11	31	50	3	2
August	64	75	25	27	58	119	19	52
September, 1978	80	61	40	43	101	215	41	113
TOTAL	675	888	243	347	565	1,572	166	503

19. Summary of Patent & Trademark Office Services Furnished for Fees or Without Charge to the Public and Government Agencies

Item or service provided	supplied in 1978
Prints furnished: Manuscripts, patents, publications, etc. (in thousands)	14,811
Certificates prepared (in thousands)	85
Assignments:	
Abstracts of title and title searches	788
Title reports	15,602
Issue searches	60,653
Documents recorded	78,901
Patents and trademarks: (in thousands)	
Orders	2,979
Foreign exchange	3,107
Library subscriptions	1,190
Archives	198
Total	7,474
Drawings and corrections	13,079

20. Income From Fees

(In Thousands of Dollars)

	1975	1976	T.Q.	1977	1978
Patent issue fee, including printing	$10,650	$10,982	$2,719	$10,063	$9,978
Patent application filing fee, including extra claims	8,749	8,762	2,332	9,023	8,948
Printed copies, U.S. Patents, Designs and Trademarks	2,102	2,082	488	1,879	1,749
Recording assignments	1,581	1,582	420	1,620	1,563
Trademark application filing fee	1,204	1,348	400	1,605	1,706
Reproduction of records	1,128	1,198	340	1,470	1,345
Appeals, including briefs	886	798	199	772	884
Making, mounting, correction, and comparison of drawings	252	232	63	242	232
Trademark renewal filing fee	153	180	42	157	142
Design application filing fee	115	135	36	147	150
Filing of affidavits pertaining to use or non-use of trademarks	139	141	38	142	146
Special service on orders	172	147	39	161	150
Certification of records	109	104	29	117	113
Design issue fee	119	135	37	118	114
Disclosure documents filed	87	84	26	106	106
Trademark oppositions and cancellations	46	51	13	49	61
Subscription service for copies	34	29	22	1	23
Petition fees	47	44	11	43	41
Attorney registrations and certificates	34	30	12	35	37
Patent reissue filing fee, including extra claims	39	42	10	49	56
Certificates of correction	28	37	10	37	37
Patent and Trademark disclaimers	25	26	7	29	27
PCT application and search fees					24
Other fees *	62	71	23	115	90
Total	$27,761	$28,240	$7,316	$27,980	$27,722

* Approximately 35 types of fees amounting to less than $15,000 for each type.

21. Operating Cost

(In Thousands of Dollars)

	1975	1976	T.Q.	1977	1978
Examination of patent applications	$45,570	$48,454	$12,101	$51,846	$56,109
Examinations of trademark applications	4,090	4,000*	983	4,115	4,550
Collection, assembly and dissemination of technical and legal patent and trademark information	28,469	30,610	8,337	31,545	32,052
Total	$78,129	$83,064	$21,421	$87,506	$92,711
Personnel compensation	$52,414	$54,910	$14,194	$59,960	$63,211
Personnel benefits	4,574	5,121	1,324	5,463	5,964
Printing and reproduction	12,201	12,762	3,267	10,376	10,988
Other costs	8,940	10,271	2,636	11,707	12,548
Total	$78,129	$83,064	$21,421	$87,506	$92,711

* Decrease from 1975 due to shift of trademark printing costs to (Collection, assembly . . . etc.).

22. End of Year Employment*

	1975	1976	T.Q.	1977	1978
Examination of patent applications	1,899	1,829	1,786	1,788	1,795
Examination of trademark applications	182	173	173	167	173
Collection, assembly and dissemination of technical and legal patent and trademark information	926	953	919	867	823
Total	3,007	2,955	2,878	2,822	2,791
Patent professional	1,118	1,047	1,038	1,063	1,064
Trademark professional	73	71	73	72	68
All other	1,816	1,837	1,767	1,687	1,659
Total	3,007	2,955	2,878	2,822	2,791

* Total paid employment, including full time permanent and other.